

REMARKS

Claims 1, 2 and 3 are in the application. Claim 1 has been amended to overcome the claim objection, and to overcome the claim rejection under 35 U.S.C. 112.

Claims 1-3 were rejected under 35 U.S.C. 102 (b) as anticipated by Becht, et al ('000).

BECHT, ET AL 5,094,000

Becht, et al discloses a hand-held power tool with a rotary driven tool.

The rejection is based on a hook element 15' engaging in recess 21' and a bolt 47. It is assumed that these parts refer to the applicants' claimed pivotally displaceable clamping lever 12 and the locking mechanism set forth in the last four lines of Claim 1.

The reference does not show a pivotally displaceable clamping lever 12 as set forth in Claim 1. The Office Action does not indicate a pivotally displaceable clamping lever in Becht et al., it merely mentions a hook element (projection) 15' engaging in a recess (cut out) 21' and a bolt 47. There is no pivotally displaceable movement, only movement in the linear direction of the arrow A. There is no description of how these parts effect a locking mechanism as set forth in Claims 1-3.

Therefore, in view of the lack of any disclosure in Becht et al of the tool as set forth in applicant's claims, it is respectfully submitted that the claims are allowable and such allowance is solicited.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 12, 2003.

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